



Austin City Council MINUTES

REGULAR MEETING
THURSDAY, AUGUST 20, 1998

Mayor Watson called the meeting to order noting the absent of Mayor Pro Tem Garcia.

1. Approval of Minutes for Regular Meetings of August 12 & 13, 1998.
Approved minutes for regular meeting of August 13, 1998, meeting of August 12, 1998 postponed on Councilmember Lewis' motion, Councilmember Slusher's second, 4-0-1 vote, Councilmember Goodman abstaining, Councilmember Griffith off the dais, Mayor Pro Tem Garcia absent.

BOARD AND COMMISSION REPORTS

2. INFORMATION, MANAGEMENT, AND TECHNOLOGY COMMISSION – Final Report
Presentation given, no action taken.

CITIZEN COMMUNICATIONS: GENERAL

3. Gus Pena, to discuss the budget and city issues.
4. Robert Thomas, to discuss Rosewood Recreation Center.
Absent
5. Anita Hardeman
6. Father John Korcsman
7. Reverend Paul Montgomery
Absent

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

ITEMS CONTINUED FROM PREVIOUS MEETINGS

8. Approve a resolution authorizing execution of a construction contract with O'NEAL CONSTRUCTION, INC., Austin, Texas, to construct the St. Elmo Service Center Warehouse and loading dock, located at 4411 Meinardus Drive, in the amount of \$1,358,000. (Funding was included in the 1997-98 Capital budget of Austin Energy.) Single bid. 3.56% MBE, 4.89% WBE Subcontractor participation. [Recommended by Electric Utility Commission]
Approve Resolution No. 980820-8 approved on Councilmember Goodman's motion, Councilmember Lewis' second, 5-0-1 vote, Councilmember Griffith "ABSTAINING", Mayor Pro Tem Garcia absent.
9. Approve a resolution authorizing execution of a construction contract with BRAUN AND BUTLER CONSTRUCTION, INC., Austin, Texas, for renovation of the Austin Energy Call Center in Town Lake Center located at 721 Barton Springs Road, in the amount of \$1,250,000. (Funding was included in the 1997-98 Capital budget of Austin.) Low bid of two. 6.96% MBE, 1.38% WBE Subcontractor participation. [Recommended by Electric Utility Commission]
Pulled
10. Approve a resolution authorizing negotiation and execution of a thirty-six month management agreement with THE MUSIC MANAGEMENT COMPANY, Austin, Texas, for the management and operation of the Austin Music Network, in an amount not to exceed \$800,000 with two thirty-six month extension options, for a total contract amount not to exceed \$800,000. (Funding in the amount of \$41,667 is available in the 1997-98 Operating Budget of the Finance and Administrative Services Department. Remaining funds will be charged to the 1998-1999 Operating Budget of the Finance and Administrative Services Department.) Best proposal of four. No M/WBE Subcontracting opportunities were identified.
Postponed to August 27, at 2:30 p.m. on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Pro Tem Garcia absent.
11. Approve an ordinance changing the street names of the following three streets located at the Austin-Bergstrom International Airport: Presidential Boulevard to Captain Bergstrom Loop; McWhirk Boulevard to Golf Course Road; and Terminal Drive to Spirit of Texas Drive. (Funding in the amount of \$700 for street signs is available in the 1997-98 Operating budget of the Aviation Department.) [Recommended by Airport Advisory Board]
Ordinance No. 980820-B approved leaving Presidential Boulevard as is and changing the other two streets as posted on Councilmember Lewis' motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Garcia absent.
12. Approve a resolution to provide funding for the American Institute for Learning. (Councilmembers Jackie Goodman and Daryl Slusher)
Resolution No. 980820-12 approved on Councilmember Goodman's motion, Councilmember Slusher's second, 5-0 vote, Councilmember Spelman off the dais, Mayor Pro Tem Garcia absent.

Finance and Administrative Services

13. Approve a resolution authorizing execution of a twelve month supply agreement with VULCAN SIGNS, INC., Foley, Alabama, for the purchase of aluminum sign blanks for traffic signs installed by the Public Works and Transportation Department, in an amount not to exceed \$96,288, with two twelve month extension options in an amount not to exceed \$96,288 per extension, for a total contract amount not to exceed \$288,864. (Funding in the amount of \$8,024 was included in the 1997-98 Operating budget of the Public Works and Transportation Department. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of four. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980820-13 approved

14. Approve a resolution authorizing execution of a twelve month supply agreement with BOC GASES, Houston, Texas, for the purchase of approximately 2,265 tons of liquid carbon dioxide used in the treatment of drinking water by the Water and Wastewater Utility, in an amount not to exceed \$154,020 with two twelve month extension options in an amount not to exceed \$154,020 per extension option, for total contract amount not to exceed \$462,060. (Funding in the amount of \$12,835 was included in the 1997-98 Operating budget of the Water and Wastewater Utility. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of two. No M/WBE Subcontracting opportunities were identified. [Recommended by Water and Wastewater Commission]

Resolution No. 980820-14 approved

Items 13 and 14 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Pro Tem Garcia absent.

15. Approve a resolution of the City of Austin, Texas, Higher Education Authority, Inc., authorizing issuance of "City of Austin, Texas, Higher Education Authority, Inc. University Revenue Bonds (Saint Edward's University Project) Series 1998" and appointing members of the Board of Directors of the City of Austin, Texas, Higher Education Authority, Inc. (No fiscal impact. Obligations of the Austin Higher Education Authority, Inc. are not debts of the city and are the sole obligation of the corporation.) [Recommended by Audit and Finance Committee]

Resolution No. 980820-15 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 5-0 vote, Councilmember Spelman off the dais, Mayor Pro Tem Garcia absent.

16. Approve a resolution authorizing execution of a twelve month supply agreement with LAROCHE INDUSTRIES, Waxahachie, Texas, for the purchase of approximately 322,000 pounds of anhydrous ammonia for the Water and Wastewater Utility, in an amount not to exceed \$70,840, with three twelve month extension options, in an amount not to exceed \$70,840 per extension, for a total contract amount not to exceed \$283,360. (Funding in the amount of \$5,904 was included in the 1997-98 Operating Budget for the Water and Wastewater Utility. Funding for the final eleven months of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bid of three. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

Resolution No. 980820-16 approved

17. Approve a resolution authorizing execution of a twelve month supply agreement with MUNICIPAL PIPE & FABRICATING CO., Austin, Texas, for the purchase of PVC wastewater line fittings of various sizes for the Water and Wastewater Utility, in an amount not to exceed \$42,646, with two twelve month extension options, in an amount not to exceed \$42,646 per extension, for a total contract amount not to exceed \$127,938. (Funding in the amount of \$3,554 was included in the 1997-98 Operating Budget of the Water and Wastewater Utility. Funding for the final eleven months of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bid of five. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)
Resolution No. 980820-17 approved

Solid Waste

18. Approve a resolution authorizing execution of Change Order #6 to the construction contract with MCGINNES BROTHERS, INC., Houston, Texas, for additional slope stabilization improvements as part of the Leachate/Slope Remediation at the FM 812 Landfill Improvements Project, in the amount of \$83,063, for a total contract amount not to exceed \$1,970,683.60. (Funding is available in the 1997-98 Amended Capital budget of the Solid Waste Services Department.) No M/WBE Subcontracting opportunities were identified.
Resolution No. 980820-18 approved

Human Resources

19. Approve a resolution authorizing negotiation and execution of a twelve month contract award to WORKERS ASSISTANCE PROGRAM, INC., Austin, Texas, for the Employee Assistance Program, in an amount not to exceed \$150,000, with two twelve month extension options in an amount not to exceed \$150,000 per extension, for a total contract amount not to exceed \$450,000. (Funding in the amount of \$137,500 will be included in the 1998-99 Proposed Operating Budget of the Employee Benefit Fund for the Human Resources Department; funding for the remaining month of the original contract (\$12,500) and extension options will be contingent upon available funding in future budgets.) Best proposal of three. 0% MBE, 2% WBE Subcontracting opportunities were identified.
Resolution No. 980820-19 approved
20. Approve a resolution authorizing negotiation and execution of a twelve month contract with PRUDENTIAL HEALTHCARE, Austin, Texas, to provide a Health Maintenance Organization (HMO) medical plan for City of Austin employees and retirees, in an amount not to exceed \$1,185,000, with two twelve month extension options in an amount not to exceed \$1,185,000 per extension, for a total contract amount not to exceed \$3,555,000. (Funding in the amount of \$888,750 for the first nine months of the contract is available in the 1998-99 proposed Operating Budget for the Employee Benefits Fund; Funding for the remaining three months of the contract and the extension options is contingent upon approval of future budgets.) Best proposal of three. No M/WBE Subcontracting opportunities were identified.
Resolution No. 980820-20 approved

21. Approve a resolution authorizing negotiation and execution of a twelve month contract with HUMANA (formerly PCA), Austin, Texas, to provide a Health Maintenance Organization (HMO) medical plan for City of Austin employees and retirees, in an amount not to exceed \$11,145,000, with two twelve month extension options in an amount not to exceed \$11,145,000 per extension, for a total contract amount not to exceed \$33,435,000. (Funding in the amount of \$8,358,750 for the first nine months of the contract is available in the 1998-99 proposed Operating Budget for the Employee Benefits Fund; funding for the remaining three months of the contract and the extension options is contingent upon approval of future budgets.) Best proposal of three. No M/WBE Subcontracting opportunities were identified.
Resolution No. 980820-21 approved

22. Approve a resolution authorizing negotiation and execution of a twelve month contract with AMIL, Austin, Texas, to provide a Health Maintenance Organization (HMO) medical plan for City of Austin employees and retirees, in an amount not to exceed \$945,000, with two twelve month extension options in an amount not to exceed \$945,000 per extension, for a total contract amount not to exceed \$2,835,000. (Funding in the amount of \$708,750 for the first nine months of the contract is available in the 1998-99 proposed Operating Budget of the Employee Benefits Fund; funding for the remaining three months of the contract and the extension options is contingent upon approval of future budgets.) Best proposal of three. No M/WBE Subcontracting opportunities were identified.
Resolution No. 980820-22 approved

Items 16 through 22 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Pro Tem Garcia absent.

Public Works

23. Approve a resolution authorizing negotiation and execution of Land Surveying Services Rotation List Agreements for land surveying services on Capital Improvements Projects for approximately two years or until funding is expended, in an amount not to exceed \$1,500,000 for each agreement, for a total of all contracts in an amount not to exceed \$1,500,000 with the following sixteen firms: **(1)** SURVCON, INC., Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation; **(2)** SURVEY RESOURCES, INC., Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation; **(3)** SURVEYING AND MAPPING, INC., (MBE/MB), Austin, Texas, 71.4% Prime MBE participation, 8.6% MBE, 20% WBE Subconsultant participation; **(4)** MCGRAY AND MCGRAY LAND SURVEYORS, INC., (WBE/FR), Austin, Texas, 90.4% WBE Prime participation, 9.6% MBE, 0% WBE Subconsultant participation; **(5)** CAPITAL SURVEYING COMPANY, INC., Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation; **(6)** CANALES, MARTINEZ & NASH SURVEYING COMPANY, (MBE/MH), Austin, Texas, 73.2% MBE Prime participation, 8.6% MBE, 18.2% WBE Subconsultant participation; **(7)** BAKER AICKLEN & ASSOCIATES, INC., Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation; **(8)** MACIAS & ASSOCIATES, INC., (MBE/MH), Austin, Texas, 73.2% MBE Prime participation, 8.6% MBE, 18.2% WBE Subconsultant participation; **(9)** TERRA FIRMA, Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation; **(10)** RUST ENVIRONMENT & INFRASTRUCTURE, Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation; **(11)** LANDMARK SURVEYING, INC., (WBE/FR), Austin, Texas, 73.2% WBE Prime participation, 8.6% MBE, 18.2%

WBE Subconsultant participation; **(12)** ACCUSURVE, INC., Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation; **(13)** RALPH HARRIS SURVEYOR, INC., Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation; **(14)** CHAPARRAL PROFESSIONAL LAND SURVEYING, Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation; **(15)** MARTINEZ, WRIGHT & MENDEZ, INC., (MBE/MH), Austin, Texas, 81.8% MBE Prime participation, 0% MBE, 18.2% WBE Subconsultant participation; **(16)** JAMES E. GARON & ASSOCIATES, Austin, Texas, 9% MBE, 19% WBE Subconsultant participation. (Funding is available in the Capital budgets of various departments requiring services.) Best qualification statements of twenty-one. (Funding is available in the Capital Budgets of various departments for which the services are needed.)

Resolution No. 980820-23 approved on Councilmember Lewis' motion, Councilmember Slusher's second, 5-0 vote, Councilmember Spelman off the dais, Mayor Pro Tem Garcia absent.

24. Approve an agreement with The Nature Conservancy of Texas, Inc., for reimbursement of costs incurred in connection with the acquisition of property to protect a portion of the City's water supply pursuant to the May 2, 1998 Bond Election, Proposition 2, in an amount not to exceed \$950,000. (Funding was included in the 1997-98 Amended Capital Budget of the Water and Wastewater Utility.)

Resolution No. 980820-24 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Pro Tem Garcia absent.

Water/Wastewater

25. Approve a resolution to ratify a temporary Emergency Water Service Agreement with the City of Pflugerville and the Windermere Utility Company, Inc. that utilizes the Windermere Utility Company, Inc., pumping and storage facilities to deliver water from Austin's water distribution system to Pflugerville's water distribution system. (Estimated revenue of \$13,580 was not included in the 1997-98 Operating Budget.)

Resolution No. 980820-25 approved on Councilmember Lewis' motion, Councilmember Slusher's second, 5-0 vote, Councilmember Spelman off the dais, Mayor Pro Tem Garcia absent.

Development Review and Inspection

26. C14-98-0038 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 606 Rio Grande, from "GR", Community Commercial district to "CBD", Central Business District zoning. First reading on June 4, 1998; Vote 6-0, Watson absent. Applicant: Powers Engineering Group (Forrest T. Powers). City Staff: Antonio Gonzalez, 499-2243.

Ordinance No. 980820-A approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor pro Tem Garcia absent.

ITEMS FROM COUNCIL

27. Report from staff on funding of Vision Village. (Councilmember Willie Lewis)
Presentation given by Paul Hilgers.

Recessed at 3:52 p.m. on Councilmember Goodman's motion, Councilmember Griffith's second, 5-0 vote, Councilmember Spelman off the dais, Mayor Pro Tem Garcia absent.

4:30 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

28. C14-98-0018 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1706 West 6th Street from "SF-3", Family Residence to "LO-MU", Limited Office-Mixed Use. Planning Commission Recommendation: To grant "NO-MU-CO", Neighborhood Office-Mixed Use-Conditional Overlay District zoning with conditions. Applicant: Oxford Custom Homes, Inc. (Rick Linda); Agent: Austin Permit Service (Melissa Whaley). City Staff: Don Perryman, 499-2786. (Continued from 6/25/98) A valid petition has been filed in opposition to this zoning request.
Postponed to September 10, 1998 on Councilmember Slusher's motion, Councilmember Griffith's second, 4-0 vote, Councilmembers Lewis and Slusher off the dais, Mayor Pro Tem Garcia absent.
29. C14-98-0028 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 2515 Quarry Road from "SF-3", Family Residence to "SF-5", Urban Family Residence. Planning Commission Recommendation: To deny "SF-5", Urban Family Residence District zoning. Applicant: Steve Buerlein. City Staff: Don Perryman, 499-2786. (Continued from 6/25/98, 7/23/98)
Postponed to September 3, 1998 on Councilmember Slusher's motion, Mayor Watson's second, 4-0 vote, Councilmember Lewis and Spelman off the dais, Mayor Pro Tem Garcia absent.
30. C14h-98-0005 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 105 East 5th Street from "CBD", Central Business District to "CBD-H", Central Business District-Historic district zoning. Planning Commission Recommendation: To grant "CBD-H" Central Business District-Historic district zoning, with conditions. Applicant: Phillips Building, Ltd.; City Staff: Barbara Stocklin, ph. 499-2414.
Approved first reading only
31. C14-85-314 & C14-85-322 - Public hearing to amend Chapter 13-2 of the Austin City Code by amending a restrictive covenant for the property locally known as East Yager Lane and North IH-35 Service Road (northbound). Existing zoning: "CH", Commercial Highway, "LR" Neighborhood Commercial, "GR", Community Commercial, "GO", General Office, "CS", General Commercial Services, "LI", Limited Industrial Services, "MF-2", Multifamily Residence (low density), and "RR", Rural Residence District zoning. Planning Commission Recommendation: To Approve the Restrictive Covenant Amendment. Applicant: Metrotech; Agent: Quentin Corporation (Paul Juarez). City Staff: David Wahlgren, 499-6455.
Postponed indefinitely
32. C14-98-0095 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 8514 Cameron Road from "SF-3" Family Residence district to "GR" Community Commercial District zoning. Planning Commission Recommendation: To be considered by the Planning Commission on August 11, 1998. Applicant: Walter Neitsch; Agent: Carol's Catering (Dana R. Price); City Staff: Susan Villarreal, 499-6319.
Approved first reading only

Motion to reconsider on Councilmember Slusher's motion, Councilmember Lewis' second, 6-0 vote, Mayor Pro Tem Garcia absent.

Motion to close public hearing on Councilmember Goodman's motion, Councilmember Slusher's second, 6-0 vote, Mayor Pro Tem Garcia absent.

Ordinance No. 980820-C approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Pro Tem Garcia absent.

33. C14-98-0100 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 600 Jet Lane from "I-RR" Interim-Rural Residence district to "AG", Agricultural District zoning. Planning Commission Recommendation: To be considered by the Planning Commission on August 11, 1998. Applicant: City of Austin; Agent: Development Review and Inspection Department; Owner: Grace I. Letho. City Staff: Greg Guernsey, 499-2387.
Postponed to August 27, 1998, staff request

34. C14-98-0103 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 4610-7318 Parmer Lane from "I-RR", Interim-Rural Residence district to "GR-MU", Community Commercial-Mixed Use district and "LI-PDA" Limited Industrial-Planned Development Area district. Planning Commission Recommendation: To be considered by the Planning Commission on August 11, 1998. Applicant: City of Austin; Agent: Development Review and Inspection Department; Owner: Robinson Land Partners, Robinson Ranch et. al., and Missouri-Pacific Railroad; City Staff: Greg Guernsey, 499-2387.
Postponed to August 27, 1998

Items 30 through 34 approved on Councilmember Slusher's motion, Councilmember Griffith's second, 4-0 vote, Councilmember Lewis and Spelman off the dais, Mayor Pro Tem Garcia absent.

Recessed at 4:43 p.m. on Councilmember Goodman's motion, Councilmember Slusher's second, 4-0 vote, Councilmember Lewis and Spelman off the dais, Mayor Pro Tem Garcia absent.

PUBLIC HEARINGS

35. 6:00 P.M. – Public hearing to amend the City Code by: 1) repealing the definition of "small plant nursery", adding the definition of "plant nursery", and amending the definition of "agricultural sales and services" found in City Code Section 13-2-3; 2) deleting "small plant nursery" and adding "plant nursery" to City Code Section 13-2-221, Tables of Use Regulation; and 3) adding a new section 13-2-274 "Plant Nurseries" to the Supplemental Use Regulations. (No fiscal impact.) [Recommended by Planning Commission]

Close public hearing on Councilmember Griffith's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Spelman off the dais, Mayor Pro Tem Garcia absent.

36. 6:30 P.M. – Public hearing on the proposed modifications and amendments to the Brackenridge Urban Renewal Plan TEX. R-94, in accordance with Chapter 374.014 (e) of the Texas Local Government Code.

Close public hearing on Councilmember Griffith's motion, Councilmember Goodman's motion, 5-0 vote, Councilmember Spelman off the dais, Mayor Pro Tem Garcia absent.

37. 7:00 P.M. – (a) Public hearing on 1998-99 Operating and Capital Budgets
(b) Public hearing on Smart Growth, Neighborhood and Housing Issues
Close public hearing on Councilmember Goodman's motion, Councilmember Slusher's second, 5-0 vote, Councilmember Spelman off the dais, Mayor Pro Tem Garcia absent.

38. 8:00 P.M. – Public hearing on the continuation of Chapter 10-7, the Curfew Ordinance.
Close public hearing on Councilmember Goodman's motion, Councilmember Lewis' second, 6-0 vote, Mayor pro Tem Garcia absent.

Recessed at 6:13 p.m. on Councilmember Slusher's motion, Councilmember Griffith's second, 5-0 vote, Councilmember Spelman off the dais, Mayor Pro Tem Garcia absent.

Recessed at 7:25 p.m. on Councilmember Lewis' motion, Councilmember Goodman's second, 5-0 vote, Councilmember Spelman off the dais, Mayor Pro Tem Garcia absent.

ACTION ON PUBLIC HEARINGS

39. Approve an amendment to the City Code by: 1) repealing the definition of "small plant nursery", adding the definition of "plant nursery", and amending the definition of "agricultural sales and services" found in City Code Section 13-2-3; 2) deleting "small plant nursery" and adding "plant nursery" to City Code Section 13-2-221, Tables of Use Regulation; and 3) adding a new section 13-2-274 "Plant Nurseries" to the Supplemental Use Regulations. (No fiscal impact.) [Recommended by Planning Commission]
Approved on Councilmember Goodman's motion, Councilmember Slusher's second, 5-0 vote, Councilmember Spelman off the dais, Mayor Pro Tem Garcia absent.

40. Approve proposed modifications and amendments to the Brackenridge Urban Renewal Plan TEX. R-94, in accordance with Chapter 374.014 (e) of the Texas Local Government Code. (No fiscal impact.) [To be reviewed by Urban Renewal Board August 18, 1998]
Approved on Councilmember Goodman's motion, Councilmember Lewis' second, 5-0 vote, Councilmember Slusher's off the dais, Mayor Pro Tem Garcia absent.

Recessed at 6:32 p.m. on Councilmember Slusher's motion, Councilmember Griffith's second, 5-0 vote, Councilmember Spelman off the dais, Mayor Pro Tem Garcia absent.

41. Approve an ordinance authorizing the continuance of Ordinance No. 950824-W concerning day and night time curfews for juveniles. (No fiscal impact.)
Ordinance No. 980820-D approved with friendly amendment to review ordinance annually on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Pro Tem Garcia absent.

EXECUTIVE SESSION (No Public Discussion on These Items)

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney – Section 551.071

42. Discuss Randall Buchanan v. K. Stoddard, S. Barnes, Elizabeth Watson, and the City of Austin, Cause No. 96-15248, Travis County, District Court.

Land Acquisition – Section 551.072

43. Discuss acquisition of property for expansion of Convention Center.
44. Discuss acquisition of 1,721.651 acres from the (1) JI7 Fortune, L.P., A Texas Limited Partnership [261.466 acres], (2) Bending Oaks Ranch, Ltd., A Texas Limited Partnership [361.939 acres], (3) John W. Tabor [301.43 acres]; (4) Steven R. Baker [188.13 acres]; (5) Herbert Hafif and Kay Frances Hafif [221.026 acres]; (6) 118 Edwards Crossing [118 acres]; and (7) William G. Parkhouse [269.66 acres], to protect a portion of the City's water supply pursuant to the May 2, 1998 Bond Election, Proposition 2.

ACTION ON THE FOLLOWING

45. Authorize fee simple acquisition of 9,582 square feet of land and improvements legally described as Lot 2, The Railyard, Austin, Travis County, Texas, locally known as 519 East 4th Street from W. States Management & Louis Shanks of Texas, Inc., for the expansion of the Convention Center.

Motion to approve on Councilmember Lewis' motion, Councilmember Goodman's second, 3-1-1 vote, Councilmember Slusher voting "NO", Councilmember Griffith "ABSTAINING", Councilmember Spelman off the dais, Mayor Pro Tem Garcia absent.

Motion to reconsider by Councilmember Slusher, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia absent.

Approved on Councilmember Spelman's motion, Councilmember Goodman's second, 4-1-1 vote, Councilmember Slusher voting "NO", Councilmember Griffith "ABSTAINING", Mayor Pro Tem Garcia absent.

46. Approve settlement in Randall Buchanan v. K. Stoddard, S. Barnes, Elizabeth Watson, and the City of Austin, Cause No. 96-15248, Travis County, District Court.

Approved in an amount not to exceed \$65,000

47. Approve a resolution authorizing negotiation and execution of seven contracts for the acquisition of 1,721.651 acres from the (1) JI7 Fortune, L.P., A Texas Limited Partnership [261.466 acres], (2) Bending Oaks Ranch, Ltd., A Texas Limited Partnership [361.939 acres], (3) John W. Tabor [301.43 acres]; (4) Steven R. Baker [188.13 acres]; (5) Herbert Hafif and Kay Frances Hafif [221.026 acres]; (6) 118 Edwards Crossing [118 acres]; and (7) William G. Parkhouse [269.66

acres], to protect a portion of the City's water supply pursuant to the May 2, 1998 Bond Election, Proposition 2.

Resolution No. 980820-47 approved in amount not to exceed \$14,810,207

48. Approve a resolution authorizing negotiation and execution of an agreement with The Nature Conservancy of Texas, Inc., for reimbursement of costs incurred in connection with the acquisition of property to protect a portion of the City's water supply pursuant to the May 2, 1998 Bond Election, Proposition 2.
Duplicate of Item #24, pulled off agenda.

49. APPOINTMENTS

Solid Waste Operations Task Force – 3 (Commercial User, Rate Advocate & Solid Waste Industry User)

ADDENDUM

August 20, 1998

50. Adopt a resolution establishing a county-wide EMS system for the provision of Emergency Medical Services in Travis County. (Mayor Kirk Watson, and Councilmembers Daryl Slusher and Jackie Goodman)
Postponed to August 27, at 5:00 p.m.

ADJOURNED at 8:14 p.m. on Councilmember Lewis' motion, Councilmember Slusher's second, 6-0 vote, Mayor Pro Tem Garcia absent.

Approved on this the 27th day of August, 1998 on Councilmember Spelman's motion, Councilmember Slusher's second, 4-0-1 vote, Mayor Pro Tem Garcia abstaining, Councilmember Griffith off the dais, Councilmember Griffith absent.